

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

ALARM.COM INCORPORATED and ICN
ACQUISITION, LLC,

Plaintiffs,

v.

VIVINT, INC.,

Defendant.


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CIVIL ACTION NO. 2:23-CV-00004-JRG-RSP

ORDER

Defendant Vivint, Inc. previously filed a Motion to Dismiss (“Motion”) (Dkt. No. 19.) Magistrate Judge Payne entered a Report and Recommendation (Dkt. No. 91), recommending denial of Vivint’s Motion. Because no objections have been filed and because of the reasons set forth in the Report and Recommendation, the Recommendation is **ADOPTED**. It is therefore **ORDERED** that the Motion (Dkt. No. 19) is **DENIED**.

So ORDERED and SIGNED this 27th day of September, 2023.



RODNEY GILSTRAP
UNITED STATES DISTRICT JUDGE